

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT

## WESTERN DISTRICT OF WASHINGTON

## AT SEATTLE

TREVOR KEVIN BAYLIS,

Plaintiff,

V.

# VALVE CORPORATION,

Defendant.

Case No. 2:23-cv-01653-RSM

**PLAINTIFF**

## TREVOR KEVIN BAYLIS

## **REQUEST FOR ADMISSION SET 3**

Filed: 8th March 2024

## PROPOUNDING PARTY:

Trevor Kevin Baylis

**RESPONDING PARTY:**

Valve Corporation

## **REQUEST FOR ADMISSION SET 3**

**TO ANY DEFENDANT AND COUNSEL OF RECORD:**

Pursuant to Federal Rules of Civil Procedure 36. It is hereby requested and

demanded of Defendant "Valve" that Valve make admission of following statements of

facts which are of material significance to the case at hand. *Baylis v Valve Corporation*.

in accordance to rule 36 of the Federal Rules of Civil Procedure under which this

request is made, to answer the following facts, and that such answers be sworn and filed.

in the office of the District Court Clerk where this case is pending, and file an answer to

1 the author of this request in writing, 30 days of serving this request upon Valve. Or else,  
2 each of the matters within this request for admission, shall and must be admitted by  
3 Valve in accordance to rule 36 of the Federal Rules of Civil Procedure.

4

5 **1. REQUEST FOR ADMISSION TRUTH OF FACTS**

6 Admit that the following facts are true:

7

8 **REQUEST FOR ADMISSION NUMBER 1.**

9 1. Admit that in the case at hand, “Baylis v Valve Corporation”, Valve  
10 requires subscriber game developers known as “Partners” to create a “Steam Account”  
11 to be able to publish games via Valve’s Steam Online Platform.

12 **REQUEST FOR ADMISSION NUMBER 2.**

13 2. Valve admit that Partners are required to create a “Steamworks Account” (A  
14 set of tools and services that help game developers to manage their games).

15 **REQUEST FOR ADMISSION NUMBER 3.**

16 3. Valve admit that Partners are required to send their uploads and games (store  
17 presence and product build) for review via Valve’s own review process before they can  
18 release their game to the public.

19 **REQUEST FOR ADMISSION NUMBER 4.**

20 4. Valve admit that Partners are required to download Steamworks SDK  
21 (software development kit) to facilitate the uploading of files to Valve’s servers.

22

23 **REQUEST FOR ADMISSION NUMBER 5.**

24 5. Valve admit that Valve receive financial benefits from selling, displaying and

1 distributing Partners content such via the commissions it charges on all game sales, with the  
2 exact commission based on total net sales volume.

3 **REQUEST FOR ADMISSION NUMBER 6.**

4 6. Valve admit that they have the right and practical ability to control activities  
5 on their Steam Platform.

6 **REQUEST FOR ADMISSION NUMBER 7.**

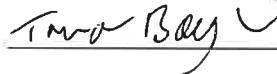
7 7. Valve admit that in and around May of 2023 they have prevented the release  
8 of “Dolphin”, an open-source emulator for the Wii and the GameCube, after an email that  
9 Valve received from lawyers representing Nintendo of America” (Jenner & Block LLP) on  
10 May 26th claiming a violation of Nintendo’ intellectual property rights.

11 **REQUEST FOR ADMISSION NUMBER 8.**

12 8. Valve admit that in resolving the issue raised by Nintendo regarding “Dolphin”  
13 that Valve informed Dolphin that, “Due to the IP complaint, we have removed Dolphin  
14 Emulator from STEAM unless and until both parties notify us that the dispute is resolved.”  
15 (Email: 26th May 2023 to Dolphin from Valve DMCA Team. Source: <https://www.theverge.com/2023/6/1/23745772/valve-nintendo-dolphin-emulator-steam-emails> (Accessed 3/8/2024))

16  
17 This “Request for Admission Set 3” is made Pursuant to Federal Rules of Civil Procedure 36.  
18

19  
20 8th March 2024

21   
22

23 Trevor Kevin Baylis  
24 Jankanraitti, Tampere 33560, FINLAND

Please note: Plaintiff is dyslexic. Thus written documents such as this may have minor accidental spelling and or grammatical errors. Such things should not be seen as cause to prejudice the author of this document.

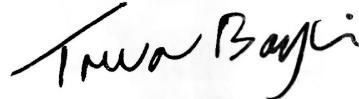
1  
2                   CERTIFICATE OF SERVICE FORM  
3                   FOR ELECTRONIC FILINGS

4 I hereby certify that on 8th March 2024 2024 I electronically filed the foregoing document  
5                   with the United States District Court  
6                   Western District of Washington at Seattle by using the  
7 CM/ECF system. I certify that the following parties or their counsel of  
8 record are registered as ECF Filers and that they will be served by the  
9 CM/ECF system:

10                   Jeremy E Roller: jroller@aretelaw.com,  
11                   jfischer@aretelaw.com,  
12                   kgreenberg@aretelaw.com

13  
14                   Jonah O. Harrison: jharrison@aretelaw.com,  
15                   jfischer@aretelaw.com,  
16                   kgreenberg@aretelaw.com

17  
18                   Dated: 8th March 2024

19                     
20

21                   Trevor Kevin Baylis

22                   Jankanraitti

23                   Tampere 33560, FINLAND